

News Advisory

From the Rhode Island Judiciary



Courts must remain open and accessible to all, Chief Justice tells lawyers, judges

June 16, 2017: Rhode Island state courthouses should be open and accessible to all persons, including undocumented immigrants, Supreme Court Chief Justice Paul A. Suttell said today.

Speaking this afternoon to a group of lawyers and judges attending the Rhode Island Bar Association's Annual Meeting at the Rhode Island Convention Center, Chief Justice Suttell said he has become concerned that the arrests of undocumented immigrants either inside or near state court buildings may deter individuals from going to court to obtain restraining orders, to testify as witnesses or victims of crime or to seek other forms of justice.

Earlier this month, an undocumented immigrant reportedly was arrested by federal immigration agents outside the Licht Judicial Complex in Providence after appearing in Superior Court for a hearing on nonviolent offenses.

"This is not just a Rhode Island concern, it is a national one," Chief Justice Suttell said. "Currently the National Center for State Courts and the Conference of Chief Justices are working with representatives of the United States Department of Homeland Security and the United States Immigration and Customs Enforcement agency to develop protocols and best practices. We support those efforts, and to that end I will soon be meeting with the Regional Field Office Director of ICE."

Federal immigration enforcement actions have taken place at or near state and county courthouses across the country in recent months, prompting judges, prosecutors and other officials in those jurisdictions to ask the Department of Homeland Security to refrain from the practice. Chief Justice Suttell said he is concerned that even the perception that one could occur would be enough to discourage fearful parties who are in need of court services.

"It is essential that our courts remain open and safe for everyone," Chief Justice Suttell said. "I recognize that federal authorities must enforce our nation's immigration laws. But at the same time our courts need to be accessible to everyone, regardless of immigration

status, so that they may seek justice – whether as a crime victim, a witness, someone seeking a protection order or someone simply looking to pay a court fine.”

“Our courts are places where everyone is treated with respect, dignity and fairness,” he told the lawyers and judges. “If people in our immigrant communities are afraid to come to court, out of fear of federal apprehension, our core mission is compromised and there is a risk of our neighborhoods becoming less safe. It is vitally important, therefore, that in carrying out their responsibilities, federal authorities do so in a way that does not undermine the trust and confidence that people have in our court system.”

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